

# EQUAL OPPORTUNITY AND CIVIL RIGHTS ADVISORY COMMISSION BYLAWS

## ARTICLE I – INTRODUCTION

This organization shall be known as the Equal Opportunity and Civil Rights Office–Advisory Commission–(~~EOAC~~), which shall be guided by the policies and procedures established by the Board of Supervisors of Monterey County in the performance of its duties.

## ARTICLE II – PURPOSE AND DUTIES

1. ~~In accordance with the Equal Opportunity Plan for the County of Monterey adopted by the Board of Supervisors, t~~The Equal Opportunity and Civil Rights Advisory Commission shall advise and make recommendations to the Board of Supervisors on matters relating to equal opportunity and civil rights as part of the Equal Opportunity Plan–(~~EOP~~) and the Title VI of the Civil Rights Act Plan.
2. The Commission has the following specific responsibilities:
  - ~~a. Annually provide the Board of Supervisors with a Status Report on the EOP.~~
  - ~~b.a.~~ Review and become familiar with the Equal Opportunity Plan OP ~~and the Title VI Plan~~ and present proposals for modification to the Board of Supervisors for consideration.
  - ~~e.b.~~ Recommend goals and timetables regarding the Equal Opportunity Plan and the Title VI Plan for Monterey County departments and the County government as a whole.
  - ~~d.c.~~ Annually review and make recommendations regarding the progress of departmental plans in furtherance of the Equal Opportunity Plan’s goals for equal opportunity and the Title VI Plan’s goals of equitable access to public services.
  - ~~d.~~ Review the County’s recruitment, testing, selection, and promotion procedures, and recommend changes where needed.
  - e. Review the County’s discrimination complaint procedures, language access, and community engagement plan for Title VI Plan compliance.
  - f. Hold meetings with Department Heads, appropriate employee groups, and community groups to consider input on the Equal Opportunity and Title VI Plans, as needed.
  - ~~g.~~ Annually review and advise the Board of Supervisors on issues relating to equal access to contracting opportunities.
- ~~g.3.~~ Each Commissioner shall have the following specific responsibilities:
  - ~~h.a.~~ Provide updates to their organization or Board Member on Commission related matters.

~~i.b.~~ Each newly appointed Commissioner must attend a Commission orientation, provided by the ~~Equal Opportunity Civil Rights~~ Officer, or designee, within 30 days of appointment by the Board of Supervisors.

~~j.c.~~ All Commissioners are required to complete the ethics training under ~~AB Government Code §§ 25008 et seq., and 1234 (Chapter 700, 2005);~~ newly appointed Commissioners shall complete the training within 60 days of appointment by the Board of Supervisors.

### ARTICLE III – MEMBERSHIP AND SELECTION

The Commission shall be composed of a total number not to exceed sixteen (16) representatives:

1. Two (2) Department Heads Council Representatives.
2. The following employee organizations shall each select employees representing a protected group<sup>1+</sup>:
  - a. Monterey County Deputy Sheriffs' Association – one (1) representative; and,
  - b. Service Employees International Union (SEIU) Local 521 – two (2) Monterey County employee representatives.
3. Each Supervisor shall appoint a representative from their ~~his or her~~ district. At least three supervisorial appointees shall be of a protected group.
4. The Commission on the Status of Women shall have one (1) representative.
5. Up to five (5) representatives from various community-based organizations which represent the interests and concerns of protected groups in the County of Monterey. Each organization shall be approved separately after careful consideration by the Commission. —Upon expiration of a community member's term, other interested and qualified community-based groups may petition for appointment to the Commission.
6. Members shall be approved by the Board of Supervisors.

### ARTICLE IV – TERMS OF OFFICE

1. Terms of office shall begin January 1<sup>st</sup> and end December 31<sup>st</sup>.
2. The term of office for Commissioners, ~~other than Board of Supervisors' representatives,~~ is three ~~two~~ years. ~~Except Board of Supervisors' representatives,~~ Commissioners desiring to be reappointed must petition for an additional term.
- ~~3. Each Board of Supervisors' representative shall serve during the term of office of the appointing Supervisor, or until replaced.~~

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<sup>1</sup> A protected group is a group of people who share common characteristics and are protected from discrimination and harassment by federal and state law (e.g. individuals distinguished by their race, color, national origin, religion, disability, sex, age, veteran status, and sexual orientation/identity).

4.3. There shall be a ~~four~~ six-year maximum consecutive membership for all representatives, ~~with the exception of the Board of Supervisors' representative. By consent of a majority of the Commission, a Commissioner's term may be temporarily extended, for a period not to exceed one year, pending appointment of a replacement for a term not to exceed 6 months, while the Board of Supervisors appoints a Commissioner to take their place.~~

5.4. Vacancy and replacements:

a. A vacancy shall exist:

1) when a commissioner submits a written resignation to the Commission Chairperson and the appointing Supervisor ~~or~~ organization;

<sup>+</sup> ~~A protected group is a group of people who share common characteristics and are protected from discrimination and harassment by federal and/or state law. A protected group is distinguished by their race or ethnic origin, color, nation origin, religion, disability, sex, age, veteran status, or sexual orientation/identity.~~

2) when a commissioner's death, ~~disability~~ or any other circumstance prevents ~~him/her~~

\_\_\_\_\_ from completing a term;

3) when a ~~C~~ommissioner no longer resides in the County or Supervisorial District or otherwise does not meet the qualifications for the appointment; or

4) when a ~~Commissioner~~ member is in violation of the ~~fails to meet the~~ attendance policy (see Article V, 2. e.).

b. Vacancies shall be filled for the remainder of the term.

c. When a vacancy on the Commission occurs, the ~~Civil Rights Officer~~ Commission Chairperson shall ~~forthwith~~ notify the Board of Supervisors in writing ~~for consideration of a new appointment. Notice of vacancies shall comply with Board of Supervisors' Resolution No. 80-12. Pursuant to Resolution 80-12, public notices of unscheduled vacancies shall be listed in newspapers of general circulation printed and published in Monterey County and posted in County offices, and libraries by the Clerk to the Board of Supervisors.~~

## ARTICLE V – ORGANIZATION, PROCEDURES AND ATTENDANCE

1. Meetings:

a. Each Commission meeting shall be open to the public ~~and governed by applicable law, and shall be governed by applicable law and the requirements of Board of Supervisors' Resolution No. 80-12.~~

a.b. The time and place shall be determined by a quorum of the members at the first meeting of each calendar year.

~~b.c. The Members of the~~ Commission shall meet once each month ~~or~~ at least nine times per year.

~~e.d. Commissioners Members of the Commission~~ may contact the Civil Rights Equal Opportunity Office or the Chairperson ~~\_\_\_\_\_~~ to ~~request~~place an item be placed on the ~~a~~Agenda for discussion and ~~/~~consideration at the next regular meeting.

~~d.e. SS~~ Special meetings shall be called by the Chairperson ~~and/or~~ at the request of ~~may be called at the request of~~ three members of the Commission.

## 2. Attendance:

a. Commissioners are expected to attend every meeting, unless excused.

b. “Excused absences” are those due to vacation or other special circumstances, provided a 48-hour advance notice is given to the Civil Rights Office, or family emergencies or; personal illness, ~~or other special circumstances, etc. provided a when 48-hour advance notice is has been given to the Equal Opportunity Office.~~

c. “Unexcused absences” are those where advance notice was not provided to the ~~Equal Opportunity Civil Rights~~ Office.

d. The Commission may, for good cause, grant leaves of absence for a reasonable period to its members. ~~Request for leave of absence must be submitted to the~~ Equal Opportunity Civil Rights Office.

e. ~~Attendance Policy.~~—A Commissioner ~~shall~~will be in violation of the attendance policy when:

1) A Commissioner has three (3) unexcused absences in one calendar year; or,

2) A Commissioner has two (2) consecutive unexcused absences in one calendar year.

## 3. Quorum:

A quorum is a majority of the total current appointed membership of the Commission. Commission action may be taken only if a quorum is present. ~~A roll call vote shall be taken when requested by~~ Commissioners ~~any members~~ in attendance.

## 4. Officers:

The Commission shall elect ~~its~~ Chairperson and Vice ~~Chairperson.~~ ~~Commission officers prior to the January meetings shall be elected during the December meeting to and~~ take office in January.

~~a.~~ Officers shall serve for one year and may run for reelection at the annual election.

~~b.a.~~ Duties of Officers:

1) Chairperson:

- a) Is responsible to speak for the Equal Opportunity and Civil Rights Advisory Commission to other organizations and to the public.
- b) Presides at all Commission meetings.
- c) Appoints committee members and temporary chairpersons to serve until each committee meets and selects a chairperson.
- d) Signs all documents to carry out the will of the Commission.
- e) Stands as an ex-officio member of all committees with the exception of the nominating committee.
- f) Is responsible for the approval of the agenda.
- g) Attend the Board of Supervisors Equal Opportunity Committee meetings.

2) Vice-Chairperson:

- ~~a) a)~~ Be knowledgeable of and assume the duties of the Chairperson in case of absence or incapacity.
- ~~b) Band b~~ becomes the Chairperson upon the death, ~~—~~resignation, or permanent incapacity of the Chairperson.

5. Committees:

~~There shall be two standing committees:~~

~~a-~~

~~1) Departmental Equal Opportunity Plan Committee~~

~~2) County Equal Opportunity Plan Committee~~

- ~~a.~~ Ad hoc committees shall be ~~created by action of the Commission~~ appointed by the Chairperson, as needed. ~~for special situations not covered by the standing committees.~~

Ad hoc committees shall serve only until the final report of the committee is given to the Commission.

- b. The Commission may establish standing committees, as needed, by a majority vote.
- c. The Chairperson shall appoint a Nominating Committee of at least three ~~Commissioners~~ members in November to oversee the nomination process and conduct the election of officers at the December meeting.

~~d. —Duties of each committee shall be decided upon by the committee members and submitted to the general Commission for approval with the exception of the Nominating Committee.~~

- ~~e. The Commission's Chair or the Commission's Vice Chair shall not hold a Chairmanship or Vice Chairmanship on either of the two Standing Committees, except on a temporary basis.~~
- ~~f. Standing Committees shall meet at least twice a year and prepare and present their annual report at the December Commission's meeting.~~

6. Amendments of Bylaws:

- a. ~~Any Commissioners member of the Commission~~ may suggest amendments to the bylaws.
- b. To be approved, an amendment must first be presented in writing at a regular meeting. At the next regular meeting, it may be adopted by a two-thirds vote of those present. Thereafter, such amendment must be submitted to the Board of Supervisors for final approval.

7. County Staff Support:

~~The Equal Opportunity Civil Rights Office shall provide staff support to the Commission and the two standing committees. The County Equal Opportunity Civil Rights Officer shall be the Executive Secretary to the Commission and shall be responsible for taking minutes of each regular meeting, preparing the same, and for mailing the meeting agenda and informational materials to all Commission members.~~

8. Minutes:

Official minutes indicating attendance and recording actions taken at each Commission meeting shall be prepared and submitted to the Board of Supervisors through the Clerk to the Board, prior to the subsequent meeting.

9. Expenses:

~~Pursuant to the provisions of Resolution 80-12, Commissioners members shall be entitled to mileage reimbursement to and from meetings and reasonable expenses necessarily incurred to conduct official County business, pursuant to County policy. Standard rates allowed County personnel shall be paid for reimbursement.~~

10. Reporting Annual Report Process:

~~In accordance with the Board of Supervisors' adoption of the County of Monterey Board, Commissions, Committees and Collaboratives Training and Annual Reporting Policy (BCCC). The BCCC Policy states, in part, the following procedures:~~

~~a. Reporting Process~~

- a. The Equal Civil Rights Opportunity Officer ~~shall will~~ be responsible for the overall reporting process.

- ~~b.~~ The ~~Civil Rights Equal Opportunity~~ Officer will bring to the Board of Supervisors, ~~once a year~~, as a scheduled item, ~~an board report with all aAnnual rReports attached.~~ During the scheduled item, the ~~Civil Rights Equal Opportunity~~ Officer will make a presentation highlighting the ~~activities~~ ~~accomplishments~~ of ~~some or all of~~ the Commissions ~~for which Annual Reports were submitted.~~
- ~~It is at the discretion of the Civil Rights Equal Opportunity Officer to decide when to bring the item to the Board of Supervisors as long as it occurs once per calendar year.~~
- ~~Pursuant to said Policy, the Equal Opportunity Officer will prepare and submit an Annual Report to the Board of Supervisors no later than March of each year.~~
- ~~Each standing committee chairperson shall be responsible for preparing a report summarizing the work of his/her committee. In addition, each report may include recommendations to be approved by the full Commission and submitted to the Board of Supervisors. Each standing committee's report shall be submitted to the Equal Civil Rights Opportunity Officer no later than the December meeting of each year.~~

#### 11. Procedural Guidelines~~Rules~~:

~~Board of Supervisors' Resolution 80-12, together with all other Resolutions which establish County policy and/or procedure for the formation and operations of the various County commissions, shall apply to the activities of the Equal Opportunity Advisory Commission except as otherwise modified by these bylaws.~~ Roberts' Rules of Order shall guide the procedural conduct of meetings.

REVISED and RECOMMENDED FOR ADOPTION this ~~20<sup>th</sup>~~-17<sup>th</sup> day of ~~January~~-October 2018~~6~~, by the Equal Opportunity Advisory Commission and shall take effect January 1, 2019.